

**HOUSE . . . . . No. 1193**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Ruth B. Balsler and Patricia D. Jehlen***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act to preserve access to inpatient mental health services for individuals with mental illness.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/31/2013</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>	
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	
<i>John P. Fresolo</i>	<i>16th Worcester</i>	
<i>Paul R. Heroux</i>	<i>2nd Bristol</i>	
<i>Carl M. Sciortino, Jr.</i>	<i>34th Middlesex</i>	
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>	

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By Representative Balser of Newton and Senator Jehlen, a joint petition (accompanied by bill, House, No. 1193) of Ruth B. Balser and others relative to the treatment of certain mentally ill persons alleged to have committed assault and battery. The Judiciary.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 1279 OF 2011-2012.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Thirteen**  
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An Act to preserve access to inpatient mental health services for individuals with mental illness.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 265 of the General Laws is hereby amended by inserting at the end of Section  
2 13I:

3 If the person alleged to have committed an assault or assault and battery was at the time  
4 of the alleged incident: 1) transported or held subject to Mass. Gen. L. ch. 123, § 12, §§ 10 & 11  
5 or §§ 7 & 8; or 2) determined by mental health providers to need psychiatric evaluation or  
6 treatment, that person will not be charged under the provisions of this section but will be  
7 provided with mental health evaluation and treatment in accordance with Chapter 123.